



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 6, 2018

Trevor M. Stanley, Esq.
Baker Hostetler, LLP
1050 Connecticut Avenue, N.W. Suite 1100
Washington, DC 20036

Re: ADR 843
American Financial Services Association PAC and Bill Himpler, Treasurer

Dear Mr. Stanley:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on 1/31/2018 – the effective date of the agreement.

Note the specific time frames for compliance detailed in the agreement. Please forward to this office, a statement confirming Respondent's compliance with each term. The letter should note the dates on which Respondents satisfied each of the terms and contain the ADR case number. For your convenience, a compliance chart is attached.

As you are aware, the Negotiated Settlement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our negotiations, and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

A handwritten signature in black ink, appearing to read "KRISTA J. ROCHE", is written over a horizontal line.

Krista J. Roche
Director

Alternative Dispute Resolution Office

Enc: Compliance Chart
Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office

ANNEXURE-1



FEDERAL ELECTION COMMISSION
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Case Number: ADR 843

Source: AR 17-06

Case Name: American Financial Services Association PAC

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Trevor M. Stanley, Esq., representing American Financial Services Association PAC and Bill Himpler, in his official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

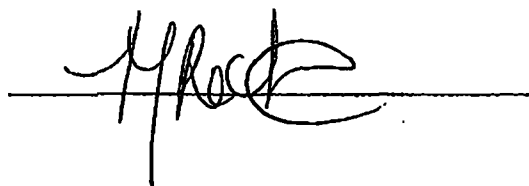
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. On July 21, 2017, the Commission approved the Final Audit Report for the 2014 election cycle. In Finding 1, the Commission found that Respondents misstated financial activity. Specifically, for calendar year 2013, receipts were misstated by \$10,080.78 and disbursements were misstated by \$67,904.92. In addition, Respondents failed to disclose \$310,683 in receipts on original reports filed during the 2014 election cycle.
4. Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. 52 U.S.C. §§ 30104(a)(1), 30104(b)(2), 11 C.F.R. §§ 104.1, 104.3(a).
5. Respondents filed amended reports on January 13, 2016. However, these amendments did not correct the misstatements for receipts and disbursements in calendar year 2013. With regard to the failure to disclose receipts on original reports during the 2014 election cycle, Respondents filed amendments disclosing all but \$11,255 of those receipts. Respondents indicate that the Committee retained a new preparer of its FEC reports since

the errors in question occurred and implemented new procedures to ensure the accuracy of filed reports.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) perform an annual internal audit and reconciliation for two years, providing certification of same on the anniversary of the effective date of this agreement each year; and (b) pay a civil penalty of \$11,000 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 843 (AR 17-06), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

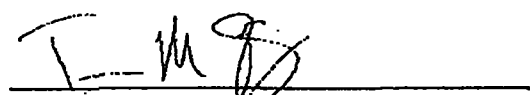
FOR THE COMMISSION:

Krista J. Roche, Acting Director
Alternative Dispute Resolution Office



2/6/18
Date Signed

FOR THE RESPONDENTS:


Trevor M. Stanley, Esq.
Representing American Financial Services Association
PAC and Bill Himpler, Treasurer

12/22/17
Date Signed